

AUTOMOBILES FOR CERTAIN SERVICE-CONNECTED DISABLED VETERANS

JUNE 13, 1951.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. RANKIN, from the Committee on Veterans' Affairs, submitted the following

REPORT

[To accompany H. R. 4233]

The Committee on Veterans' Affairs, to whom was referred the bill (H. R. 4233) to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans or cash payments in lieu thereof, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill, as amended, do pass.

The amendment is as follows:

On page 2, beginning on line 4, strike out—

who is entitled under the laws administered by the Veterans' Administration for compensation for the loss, or loss of use, of one or both legs at or above the ankle due to disability incurred in or aggravated by such service:

and insert in lieu thereof the following:

who is entitled to compensation under the laws administered by the Veterans' Administration for any of the following due to disability incurred in or aggravated by active military, naval, or air service of the United States during any one of such periods:

- (a) Loss or permanent loss of use of one or both feet;
- (b) Loss or permanent loss of use of one or both hands;
- (c) Permanent impairment of vision of both eyes of the following status:

Central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye:

EXPLANATION OF THE BILL

The bill as reported by the committee authorizes the Administrator of Veterans' Affairs to pay not to exceed \$1,600 on the purchase of an automobile or other conveyance for each veteran of either World War I or World War II or of service after June 27, 1950, and prior

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to the termination of the present emergency, who is entitled to compensation for loss or loss of use of one or both feet, or hands, or who became blind as a result of such service. The mentioned sum of \$1,600 is applicable on the purchase price of an automobile or other conveyance with such special attachments and devices as may be necessary for the individual veteran for the operation thereof. As an alternative, an eligible veteran could elect to receive \$1,600 in cash in lieu of the payment toward the purchase of an automobile.

The original law on this subject was Public Law 663 of the Seventy-ninth Congress which was extended by Public Laws 161 and 785 of the Eightieth Congress, and by Public Law 343 of the Eighty-first Congress. Briefly, this law provided any World War II veteran with an automobile, not to exceed \$1,600 in cost, who is entitled to compensation for the loss, or loss of the use, of one or both legs at or above the ankle. The original authority also had a requirement that no veteran should be given an automobile until it was established to the satisfaction of the Administrator that he would be able to operate the car in a safe manner and would be licensed by the State of his residence. Public Law 798 has extended this World War II benefit to July 1, 1951, under the same conditions, except that a veteran may pay any amount above \$1,600.

The maximum contribution on the part of the Government is limited by the bill to \$1,600 and any cost in excess of that sum for a car must be borne by the veteran. The Government will not be liable for the repair, maintenance, or replacement of any automobile furnished under this authority. No veteran will be entitled to receive more than one automobile under this act or more than one payment, and he may not obtain a car or benefit payment under this authority if he has previously obtained a conveyance under the preexisting law. The bill requires that application be made within 3 years after effective date of enactment or after date of separation from active service.

It will be necessary for the veteran to pass a driver's test or otherwise meet the requirements of individual States in order to obtain a car. This requirement was contained in the original authority. However, a veteran who meets the other requirements of the bill but who could not qualify to operate a vehicle would nevertheless be entitled to receive the cash benefit of \$1,600.

ESTIMATE OF COST

It is estimated (based on those receiving benefits from the Veterans' Administration) that approximately 11,700 World War II veterans might qualify under the provisions of this bill. The extension of the benefits of the bill to World War I cases would affect some 5,775 veterans. This total of 17,475 would cost approximately \$27,960,000. The indefinite duration of the present emergency and other unknown factors make it impossible to estimate the cost as to those now serving.

The reports of the Veterans' Administration follow:

VETERANS' ADMINISTRATION,
Washington, D. C., June 5, 1951.

HON. JOHN E. RANKIN,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, D. C.

DEAR MR. RANKIN: This is in reply to your request for a report on H. R. 4233, Eighty-second Congress, a bill to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances

by certain disabled veterans or cash payments in lieu thereof, and for other purposes.

The bill has the twofold purpose of (1) extending the program of automobiles for disabled veterans to include veterans of World War I and veterans of the present emergency, (2) authorizing a cash payment in lieu of payment on an automobile, at the option of the veteran, in the same class of cases but without any requirement that ability to operate a vehicle shall exist in order to receive the cash benefit.

Briefly, the bill would be an independent permanent enactment authorizing payment of \$1,600 on the purchase price of a suitably equipped automobile or other conveyance in the case of each veteran of World War I, World War II, or of service on or after June 27, 1950, and prior to a date to be fixed by the President or the Congress, if the individual is entitled under laws administered by the Veterans' Administration to compensation for loss or loss of use of one or both legs at or above the ankle due to disability incurred in or aggravated by such service. With respect to this assistance in obtaining automobiles the bill is essentially similar to the terms and provisions of the existing law relating to automobiles for certain disabled veterans of World War II. However, this bill would establish a continuing program, subject to the requirement that the eligible veteran must make application within a prescribed period of 3 years, by contrast to the preexisting program for World War II veterans which has been limited to successive temporary periods of 1 year each. The current authorization for the World War II group (Public Law 798, 81st Cong., September 21, 1950) is limited to a period ending June 30, 1951.

The Veterans' Administration has recently submitted a combined report to your committee on H. R. 2872 and H. R. 2983, Eighty-second Congress (Committee Print No. 125 of May 22, 1951). The first mentioned bill is comparable to the provisions of H. R. 4233 with respect to assistance in acquiring vehicles to veterans with disabilities involving loss or loss of use of one or both legs at or above the ankle as the result of service from and after June 27, 1950. H. R. 2983 is materially broader, although confined to assistance in obtaining conveyances, in that it would cover additional types of disabilities. However, the latter bill, like the present one, would include veterans of World War I, World War II, or the current emergency. In order to avoid repetition, reference is made to the mentioned combined report on H. R. 2872 and H. R. 2983 for discussion of various effects and principles which may be applicable, at least in part, in the consideration of the present measure, including for example a specification of certain benefits which are already available to those having the disabilities in question.

It may be noted in passing that while H. R. 4233 does not include those with disabilities of the upper extremities and with visual defects as did S. 2115, Eighty-first Congress, which was passed and disapproved by the President, it is similar to that measure in that it would include veterans of World War I. It is significant in this connection that notwithstanding numerous proposals to extend this type of benefit to veterans of World War I, it has heretofore been limited to those who served in World War II and sustained the required type of compensable disability. Presumably, this restricted coverage is based upon the theory that this unusual form of assistance is designed as a rehabilitative aid to help the veteran overcome his readjustment problems in the immediate postwar and post-service period and that this factor is not present to any substantial degree in the case of World War I veterans whose disabilities were incurred in the service more than 30 years ago.

With respect to the proposal to afford the automobile benefit to veterans with compensable leg disabilities resulting from service in the present emergency, there is presented the basic question of policy concerning the extent to which so-called World War II benefits, including this one, should be made available to disabled veterans of service subsequent to World War II. As noted in the prior report in relation to H. R. 2872, the bill under consideration is unrestricted in its coverage of persons incurring the specified type of disability in service subsequent to June 27, 1950, for the reason that it would include persons suffering such disability in the continental United States and elsewhere without limitation to an area of actual hostilities.

The committee will doubtless wish to give careful consideration to the feature of the bill which provides for a cash payment of \$1,600 directly to the veteran and at his option in lieu of payment upon the purchase of an automobile or other vehicle. It is particularly noteworthy that while this cash benefit is to be made available only to the veteran meeting the basic disability requirements, it would be payable not only in a case in which the disabled veteran could qualify to drive

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a vehicle but also in any other case in which he could not, without limitation as to the use which might be made of the monetary payment. It is apparent that a substantial number of eligible veterans could be expected to take advantage of the cash benefit provided by the bill and use the money for a variety of purposes, some of which might be wholly unrelated to the purchase or operation of an automobile or other conveyance. Thus, it would appear that this aspect of the bill introduces an element which is foreign to the objective of previous legislation providing assistance in favor of certain disabled veterans in securing vehicles for their own operation.

The prior authorization on the subject of automobiles for disabled World War II veterans has been based upon the policy of providing or assisting in the provision of a suitable means for affording some measure of special rehabilitation to those persons who sustained a material impairment of mobility by their service in World War II as a result of injuries to the lower limbs. The requirement of an operator's license in these laws has apparently reflected the legislative view that the conveyance should be regarded as having the nature of an additional prosthetic appliance for the direct use of the veteran. It is significant that in accomplishing these purposes, the First Supplemental Appropriation Act of 1947 and Public Law 798, Eighty-first Congress, have consistently required that the benefit be accorded in the form of a payment by the Administrator on the purchase cost of the vehicle. What was granted was in the nature of a benefit "in kind," geared to a specific use.

The proposal to award a cash payment in an amount comparable to that payable in other instances on the cost of an automobile presents considerations which would seem to be materially different from those involved in any measure which is restricted to the provision of direct assistance in acquiring a suitable conveyance as a special rehabilitation measure. In practical effect, this would authorize what may be termed either a bonus or additional compensation to a relatively small group of disabled veterans. Immediately there would arise the question of discrimination as between this limited group and other classes of veterans. If the proposal should be viewed as additional compensation it would seem to be more properly for consideration in relation to the compensation structure, rather than in association with a proposal which purports to have as its primary purpose the granting of a specific benefit of a materially different kind.

It seems appropriate at this point to invite attention to the following excerpt from the President's memorandum of disapproval of S. 2115, Eighty-first Congress:

"When we move beyond the provision of individually fitted prosthetic appliances for disabled veterans into the field of compensation, the sound and equitable method of meeting the needs of disabled veterans is through the provision of a carefully considered scale of compensation rates paid in cash on a monthly basis. This is our long-tested practice from which I believe we should not depart."

The existing pattern of disability compensation has been worked out through the years and is a delicately balanced system designed to avoid inequities. As pointed out to the committee in the prior report on H. R. 2872 and H. R. 2983 veterans who have sustained disabilities of the lower limbs as the result of military service as well as veterans with other specific types of severe service-connected disabilities, such as blindness and injuries to the upper extremities, are entitled to receive special increased rates of compensation which are substantially greater in amount than would be payable on the basis of the percentage rating of the disability. In addition to posing a problem of discrimination which might be especially acute as between the several groups entitled to special rates of compensation, the bill could be regarded as introducing into the compensation system a lump-sum increment which is incompatible with the basic concept of continuing monthly payments.

From the foregoing, it is believed that the committee will desire to examine the provisions of this bill in the light of factors which are not ordinarily present in connection with legislation dealing exclusively with assistance to disabled veterans in acquiring suitable automobiles or other conveyances.

We are unable to submit any worth-while estimate of the over-all cost which would result from the enactment of H. R. 4233, because of the unknown factors which prevent an accurate forecast of the number of persons who might become eligible based on service on or after June 27, 1950. These factors include the unpredictable duration of the period beginning on that date and terminable under the bill by the President or the Congress, and the indeterminate future strength of the Armed Forces during that indefinite period. With respect to veterans of World Wars I and II, who might qualify and receive benefits under the bill, it is estimated on the basis of those receiving monetary benefits from the Veterans'

Administration that in the first year approximately 3,120 World War I and 380 World War II veterans might be involved, at a total approximate cost for these two groups of \$5,600,000. This partial cost estimate is somewhat incomplete because of the absence of information as to the number of additional persons who served in World Wars I and II who are on retirement rolls of the Army and Navy and who might become eligible under the provisions of the bill.

Advice has been received from the Bureau of the Budget that enactment of the proposed legislation would not be in accord with the program of the President.

Sincerely yours,

CARL R. GRAY, Jr., *Administrator.*

VETERANS' ADMINISTRATION,
Washington, D. C., May 22, 1951.

HON. JOHN E. RANKIN,
*Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, D. C.*

DEAR MR. RANKIN: This is in reply to your request for a combined report on H. R. 2872, Eighty-second Congress, and H. R. 2983, Eighty-second Congress. H. R. 2872 is entitled "A bill to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans who served in the military, naval, or air service of the United States on or after June 27, 1950, and for other purposes." H. R. 2983 is entitled "A bill to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes."

The general purpose of each of these bills is to liberalize the program of automobiles for disabled veterans to include certain additional groups. H. R. 2872 would be an independent permanent enactment authorizing the Administrator of Veterans' Affairs to assist in providing automobiles or other conveyances, suitably equipped, for persons who served in the Armed Forces on or after June 27, 1950, and prior to a date to be determined by the President or the Congress, provided that such persons must be entitled to compensation for the loss or loss of use of one or both legs at or above the ankle due to disability incurred in or aggravated by such service. H. R. 2983 would provide, by independent permanent enactment, for assistance by the Administrator in acquiring a suitably equipped automobile or other conveyance for each veteran of World War I, World War II, or of service on or after June 27, 1950, and prior to the date to be determined by the President or the Congress, provided that the individual is entitled to compensation for disability suffered during one of such periods and that the disability falls into one of three categories specified in the bill. These classes of disabilities are: (a) loss or permanent loss of use of one or both feet; (b) loss or permanent loss of use of one or both hands; or (c) permanent impairment of vision of both eyes of a specified degree.

Each bill would provide that the assistance be in the form of a payment not to exceed \$1,600 on the purchase price of the vehicle to the seller from whom the veteran is purchasing. Each bill would contain provisions against liability of the Government for repair, maintenance, or replacement of the vehicle, and each would preclude duplicating benefits under the legislation and would preclude assistance to a veteran who has received a vehicle under the provisions of the preexisting law or the present law relating to certain disabled veterans of World War II. Further, each bill would require that application for the benefit be made within 3 years after the effective date of the enactment, or within 3 years after the date of the person's discharge from the Armed Forces, whichever is later. It is noted in this connection that H. R. 2872 (sec. 2) clarifies the requirement of application within 3 years from date of discharge to include "release from active service," whereas H. R. 2983 refers only to "discharge."

Another material difference between the two bills is that H. R. 2872 retains the requirement, which is found in the existing law, that to be eligible a person must be qualified and licensed to operate the vehicle. By contrast, and no doubt because of the nature of the additional types of disability involved, H. R. 2983 does not contain this requirement.

It is observed also that H. R. 2983 contains provisions exempting a vehicle furnished thereunder from claims of creditors and from liability to attachment, levy, or seizure by or under any legal or equitable process, and would further extend these exemptions to vehicles furnished World War II veterans under Public Law 663, Seventy-ninth Congress, as amended, or the existing law, Public Law 798, Eighty-first Congress. H. R. 2872 contains no comparable provision.

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These provisions might raise a question concerning the enforceability of a mortgage on the vehicle given voluntarily by the veteran, such as a lien or title reservation to secure the balance of the purchase price where it exceeds the \$1,600 contribution of the Government.

In terms of amount and method of payment the benefit which would be authorized by each of these bills corresponds to that provided by Public Law 798, Eighty-first Congress, approved September 21, 1950, for World War II veterans receiving compensation for loss or loss of use of one or both legs at or above the ankle. This World War II program originated with a temporary 1-year provision in the First Supplemental Appropriation Act of 1947 (Public Law 663, 79th Cong.), which was extended for successive temporary 1-year periods until enactment of the present statute, which is also limited to a period ending June 30, 1951. Except for the fact that it would be permanent legislation and would apply only to veterans of a period of service beginning June 27, 1950, H. R. 2872 is similar in its requirements and conditions to the existing law governing World War II veterans. However, H. R. 2983 is much broader than the present law, not only with respect to the types of disabilities but also because it would include eligible veterans of World War I, as well as World War II, and veterans of service beginning June 27, 1950.

With particular reference to the more comprehensive bill, H. R. 2983, the committee will observe that except for the inclusion of those serving since June 27, 1950, it is substantially similar to S. 2115, Eighty-first Congress, which was passed by the Congress but which did not become law because the President withheld his approval of the measure. A copy of the President's memorandum of disapproval, dated October 31, 1949 (Committee Print No. 165), is enclosed for the convenience of the committee. It will be noted therefrom that the President discussed a number of different considerations which moved him to disapprove that legislation, and that these considerations were directed, in the main, to the principles involved, rather than to purely technical aspects. That proposal was, of course, restricted to World War I and World War II veterans entitled to compensation for any one of the arm, leg, or visual disabilities prescribed, and it did not cover in any respect persons incurring disability in service in the present emergency. It may be regarded as significant, in connection with any proposal to extend the program of automobiles for disabled veterans to include additional service groups or additional types of disabilities, that in the closing part of his memorandum of disapproval of S. 2115, Eighty-first Congress, the President stated:

"When we move beyond the provision of individually fitted prosthetic appliances for disabled veterans into the field of compensation, the sound and equitable method of meeting the needs of disabled veterans is through the provision of a carefully considered scale of compensation rates paid in cash on a monthly basis. This is our long-tested practice from which I believe we should not depart."

Each of the bills under consideration presents a new proposal insofar as it would establish a program of providing assistance in acquiring automobiles or other conveyances for disabled veterans of current service. The existing and preexisting programs for assisting veterans to obtain conveyances has been restricted to the wartime group who incurred disabilities in World War II. The extent to which so-called wartime benefits, including this one, should be made available to disabled veterans of service subsequent to World War II, presents an important problem of governmental policy. The subject bills are unrestricted in their coverage of persons incurring the specified types of disabilities in service subsequent to June 27, 1950. Each of them would include persons suffering disabilities during the described period in the continental United States and elsewhere, without restriction to an area of actual hostilities. It may be of interest in this connection that the recent enactment (Public Law 894, 81st Cong., Dec. 28, 1950) extending the program of vocational rehabilitation training provided by Public Law 16, Seventy-eighth Congress, as amended, to certain persons disabled in service on or after June 27, 1950, did not embrace all persons incurring compensable disabilities during this period, but was confined to those disabled under circumstances which entitled them to the higher wartime rates which are applicable to so-called peace-time cases where the disability arises from extra-hazardous service or armed conflict. Attention is also invited to the following paragraph from the President's letter of December 4, 1950, to the Vice President of the United States and the Speaker of the House of Representatives (H. Doc. 728, 81st Cong.), in which he recommended the action which was later taken concerning the renewal of Public Law 16 vocational rehabilitation benefits for disabled veterans:

"Disabled veterans will need rehabilitation assistance first of all. Later they may also need other kinds of help in readjusting to civilian status. The next

Congress will have an opportunity to give full consideration to their longer range needs and to those of the able-bodied men, now in service, who will eventually be returned to civil life. In planning to meet these needs it will, of course, be essential to relate any new benefits to the readjustment problems which will actually face our future veterans. It will be necessary to review with care the experience gained in the veterans' readjustment programs after World War II. This will take time."

Since each of the bills would confer this special type of benefit in addition to all other benefits available to the groups involved, the committee may wish to consider various other veterans' benefits for which they are eligible, as disabled veterans, under existing law. These existing benefits include, among others, hospitalization and medical care, assistance in acquiring specially adapted housing in cases involving severe disabilities of the lower extremities, prosthetic appliances, preference in Federal employment, and disability compensation. Disabled veterans of World War II are likewise entitled to vocational rehabilitation training under Public Law 16, Seventy-eighth Congress, as amended, and to the extent indicated above disabled veterans of service beginning on or after June 27, 1950, are likewise entitled to such vocational rehabilitation training. Blind veterans of either wartime or peacetime service who are entitled to disability compensation from the Veterans' Administration may also be provided with seeing-eye or guide dogs, and with mechanical electronic equipment for aiding them in overcoming the handicap of blindness.

Substantially all of those encompassed by these bills are entitled to increased rates of compensation by reason of the character of the disabilities suffered. These rates would range, in cases entitled to wartime rates from \$102 per month for the loss or loss of use of one foot only, to \$318 monthly in a case of anatomical loss of two extremities at such a point as to prevent the use of a prosthetic appliance, or in a case of anatomical loss of both eyes. Where other complications are present, the wartime rate could be as high as \$360 per month. The extent to which these increased rates represent special consideration for particular types of disabilities is indicated by the fact that the comparable normal rates, based upon percentage of disability only, would range from \$60 (a 40-percent rating) to \$150 for total disability. The related special peacetime rates would range from \$81.60 per month to \$254.40 and \$288 per month, by contrast to the normal peacetime rates of \$48 (a 40-percent disability) to \$120 (total disability). In addition to the mentioned increased rates of compensation, most of the persons in these categories are entitled to allowances for dependents under Public Law 877, Eightieth Congress, as amended, which are available when the service-connected disability is rated not less than 50 percent.

The Veterans' Administration is unable to submit any worth-while estimate of cost which would result from the enactment of H. R. 2872 because of the indeterminate factors which would prevent an accurate forecast of the numbers of persons who might become eligible based on service on or after June 27, 1950. Among such unknown factors are the unpredictable duration of the period beginning June 27, 1950, and terminable at the will of the President or the Congress, and the undetermined future strength of the Armed Forces during that indefinite period. For the same reason we are unable to estimate the cost of that part of H. R. 2983 applicable to those incurring disabilities of the specified character during the open period beginning June 27, 1950. With respect only to veterans of World War I or World War II who might realize the benefits of H. R. 2983, it is estimated, based upon those receiving monetary benefits from the Veterans' Administration, that in the first year approximately 5,775 World War I veterans and 11,700 World War II veterans might qualify, or a total for these two groups of 17,475, at a cost approximating \$27,960,000. This partial cost estimate is somewhat incomplete as to World Wars I and II veterans due to the difficulty of projecting the number of eligibles under the broad definition of visual defects contained in H. R. 2983, and the further fact that we have no information as to the number of additional persons who served in World War I and World War II who are on the retirement rolls of the Army and Navy, and who might qualify under the provisions of the bill.

Advice has been received from the Bureau of the Budget that while there would be no objection to the presentation of this report to the committee, the enactment of H. R. 2983 could not be considered to be in accord with the program of the President.

Sincerely yours,

O. W. CLARK,
Deputy Administrator

(For and in the absence of the Administrator).

On the basis of the above, it is suggested that the following be adopted as the standard for the treatment of the patient with a fracture of the femur. The patient should be kept in the supine position, the leg should be immobilized in a plaster cast, and the patient should be kept in bed for a period of six weeks. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast.

The following are the points to be considered in the treatment of the patient with a fracture of the femur. The patient should be kept in the supine position, the leg should be immobilized in a plaster cast, and the patient should be kept in bed for a period of six weeks. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast.

The following are the points to be considered in the treatment of the patient with a fracture of the femur. The patient should be kept in the supine position, the leg should be immobilized in a plaster cast, and the patient should be kept in bed for a period of six weeks. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast.

The following are the points to be considered in the treatment of the patient with a fracture of the femur. The patient should be kept in the supine position, the leg should be immobilized in a plaster cast, and the patient should be kept in bed for a period of six weeks. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast.

The following are the points to be considered in the treatment of the patient with a fracture of the femur. The patient should be kept in the supine position, the leg should be immobilized in a plaster cast, and the patient should be kept in bed for a period of six weeks. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast.

The following are the points to be considered in the treatment of the patient with a fracture of the femur. The patient should be kept in the supine position, the leg should be immobilized in a plaster cast, and the patient should be kept in bed for a period of six weeks. The patient should be kept in bed for a period of six weeks, and the leg should be immobilized in a plaster cast.